

Please add new Claim 21, as follows:

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-21. (New) An elevated access safety system comprising:

a platform for supporting a user in an elevated position;

a safety harness for attachment to a portion of the user's body;

a standing line for attachment to a support structure above said platform;

a prusik hitch slidable along at least a portion of said standing line, wherein said prusik hitch is freely movable along said standing line when not loaded, but resists movement relative to said standing line when under load; and

coupling means for attaching said prusik hitch to said safety harness.--

"Clean" claims incorporating the above amendments are included at the end of this Response.

#### REMARKS

The Office Action mailed October 3, 2002 has been received and reviewed. All claims presently stand rejected. By the present Response and Amendment, Claims 1-8, 12, 19 and 20 are canceled, and Claims 9, 13, and 18 are amended. No new matter is introduced.

The rejections of Claims 1-8 are deemed moot in view of the cancellation of those claims.

Claims 9 and 20, as well as certain claims depending therefrom, stand rejected under 35 U.S.C. § 102, in view of Crawford, Potter and Van Patten; and under 35 U.S.C. § 103 in view of Kammerer in combination with Van Patten or Potter. Applicant respectfully traverses these grounds of rejection.

As presently amended, Claim 9 is directed to a system including a harness, a standing line, a sliding loop comprising a knotted length of rope slidable along at least a portion of the length of said standing line, and coupling means for attaching said sliding loop to said safety harness. Claim 18 is directed to a method including securing a standing line to a support structure; slidably connecting a sliding loop comprising a prusik hitch to the standing line, whereby the sliding loop is freely movable along the standing line when not loaded, but resists movement relative to the standing line when under load; and coupling the sliding loop to a harness worn by a user. None of the Crawford, Potter or Van Patten references disclose each of these features as presently recited in amended Claims 9 or 18. Accordingly, the §102 rejections of Claims 9 and 18 cannot properly be maintained, and Applicant respectfully requests withdrawal of the §102 rejections.

In support of the §103 rejection of Claims 9 and 18, the Examiner asserts that Kammerer teaches the claimed invention with the exception of the attachment means, coupling means and harness. The Examiner asserts, however, that these features are disclosed by Van Patten and/or Potter, and that it would have been obvious to one of ordinary skill in the art to combine the teaching of Kammerer with that of Van Patten and/or Potter. Applicant respectfully traverses. There is no teaching or suggestion in any of the cited references of the proposed combination. Moreover, one of ordinary skill would not have been motivated to modify the Kammerer device as suggested. First, Kammerer is directed to an "ascender for rope climbing", whereas both Van Patten and Potter are directed to "lowering" or "descent" devices. It is respectfully submitted that one of ordinary skill in the art would not have been motivated to modify an "ascending" or "climbing" device by incorporating features of a "lowering" or "descent" device. Indeed, the Potter reference itself teaches away from such a combination, at column 1, line 43 to column 2, line 6, discussing various reasons why "ascender" devices are unsuitable for use in "descent" applications. In addition, Kammerer teaches away from the use of a prusik knot, at column 1, lines 26-47, discussing the "many disadvantages with the prusik". Accordingly, it is respectfully submitted that it would not have been obvious to one skilled in the art to modify

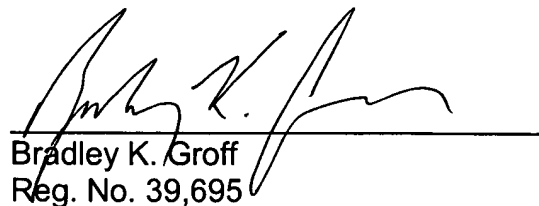
the references as proposed, and Applicant requests reconsideration and withdrawal of the §103 rejection.

New Claim 21 is directed to an elevated access safety system, including a platform for supporting a user in an elevated position; a safety harness for attachment to a portion of the user's body; a standing line for attachment to a support structure above said platform; a prusik hitch slidable along at least a portion of said standing line, wherein said prusik hitch is freely movable along said standing line when not loaded, but resists movement relative to said standing line when under load; and coupling means for attaching said prusik hitch to said safety harness. The cited references do not disclose or suggest this claimed system, and Claim 21 is therefore believed to be allowable over the art of record.

#### **CONCLUSION**

In view of the amendments submitted herein and the above comments, it is believed that all claims are now allowable, and that the application has been placed in full condition for issue. Accordingly, Applicant earnestly solicits early and favorable action. Should there be any further questions or reservations, the Examiner is urged to telephone Applicant's undersigned attorney at 770.984.2300.

Respectfully submitted,

  
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**"Clean" Claims as Presently Amended**

1. [Canceled]

2. [Canceled]

3. [Canceled]

4. [Canceled]

5. [Canceled]

6. [Canceled]

7. [Canceled]

8. [Canceled]

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9. A safety system for preventing injury from a fall, comprising:

a safety harness for engaging a wearer;

a standing line for attachment to a support structure;

a sliding loop comprising a knotted length of rope slidable along at least a portion of the length of said standing line, wherein said sliding loop is freely movable along said standing line when not loaded, but resists movement relative to said standing line when under load; and

coupling means for attaching said sliding loop to said safety harness.

10. The safety system of Claim 9, wherein said standing line comprises a looped portion.

11. The safety system of Claim 9, wherein said standing line comprises a clip.

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12. [Canceled]

13. The safety system of Claim 9, wherein said knotted length of rope has a smaller diameter than said standing line.

14. The safety system of Claim 9, wherein said sliding loop comprises a prusik hitch.

15. The safety system of Claim 9, wherein said coupling means comprises a carabiner.

16. The safety system of Claim 9, wherein said safety harness comprises a belt.

A2 17. The safety system of Claim 9, wherein said safety harness comprises a multi-point body harness.

18. A method for preventing injury due to a fall from an elevated position, said method comprising the steps of:

securing a standing line to a support structure adjacent the elevated position;

slidably connecting a sliding loop comprising a prusik hitch to the standing line, whereby the sliding loop is freely movable along the standing line when not loaded, but resists movement relative to the standing line when under load; and

coupling the sliding loop to a harness worn by a user.

19. [Canceled]

20. [Canceled]

21. An elevated access safety system comprising:

a platform for supporting a user in an elevated position;

a safety harness for attachment to a portion of the user's body;

a standing line for attachment to a support structure above said platform;

a prusik hitch slidable along at least a portion of said standing line, wherein said prusik hitch is freely movable along said standing line when not loaded, but resists movement relative to said standing line when under load; and

coupling means for attaching said prusik hitch to said safety harness.